

1909-028 Chancery Cause: Joseph Blalock vs. William Littrell &
Lee Co.

Orr, Woodward, Lorton, Wynn, Blaylock, Stanley, Pridemore,
Snaveley

CA-Contract Dispute
T-Property

-Deed

To the Hon. H. A. W. Skeen, Judge of the Circuit Court of Lee County Virginia.

Your complainant, Joseph Blalock, he would respectfully represent and show unto your honor that on the 26th day of September 1889 purchased from Jno. Lorton, Sen., a certain tract of land in Lee County Virginia, containing three acres more or less for which he was to pay the sum of \$85.00 and which said purchase money has since been paid by your complainant.

At the time your complainant purchased the said land, the said Jno. Lorton executed to him a writing in the nature of a title Bond binding himself to make a deed of general warranty when said purchase money was paid. Said contract or title bond is here filed *with* this bill marked "title bond" and asked to be made apart ~~thereof~~. Your complainant alleges that immediately after the purchase of said land he went into possession thereof and has remained in possession openly, notoriously and adversely-down to the present time.

That your complainant alleges that the said ~~Jno.~~ Lorton on day of 18 departed this life, not having made your complainant a deed to said land, according to said contract. Your complainant would show your honor that one B. L. Lorton, a son of Jno. Lorton deceased got hold of the deed which one Wm. S. Ball and wife had made to Jno. Lorton to the land purchased by him after the death of Jno. Lorton, (said deed having never been recorded in the clerks office of Lee County Virginia) *and destroyed it.* The said B. L. Lorton procured another deed from Wm. S. Ball and wife dated October 2, 1890 and recorded in deed book 25, page 558. In which deed he attempted to get title *to* your complainants said three acre tract of land but failed as said deed did not cover your complainants tract.

Your complainants not having a deed of said land and wanting one, and knowing that the legal title was in the children and heirs at law of Jno. Lorton deceased. B. L. Lorton one of the said children and one heir at law represented that

he could make a good deed and B. L. Lorton made to your complainant a deed to said land, attempting on the 16th day of September 1907 to make to your complainant a deed. Said deed is of record in deed book number 46, page 328, for said deed, your complainant paid B. L. Lorton the sum of \$15.00.

Your complainant being illiterate and having no education-did not know but that the said B. L. Lorton could make a deed to him and he soon ascertained that B.L. Lorton had absolutely no title to said tract of land and it having never been deeded to him either by his father or Wm. S. Ball or any other person.

Your complainant will now further show your honor that there has been pending in your honors court, a chancery case styled, "Peck Jarnagan & Co., Plaintiff against B. L. Lorton, Defendent, asking to enforce judgment lien against your complainants three acre ~~tract~~ tract of land. In the said suit it is alleged that the judgment in favor of Peck Jarnagan & Co. is a lien against your complainant three acres of land on account of B. L. Lorton making deed when he had no title.

In said case such proceedings have been had that Jas. W. Orr, special commissioner in said cause has sold or attempted to sell without any notice to your complainant, who is in possession of the said tract of land, Your complainant said three acres, ~~and been~~ ^{and has} sold to W. E. Orr, who was the purchased for a small sum to-wit \$35.00. Said sale has been confirmed to said W. E. Orr and a deed made to him and said W. E. Orr has sold said land to a man by the name of Woodward and is now trying to put Woodward in possession of said land.

Your complainant on the 14th day of November 1908 ~~had~~ a copy of the writ of possession served ~~on~~ him. Said copy is here filed marked A and asked to be made apart of this bill. Now your complainant alleges that this said writ of possession was served by one ^{Wm} Litrell, a constable of Lee County when it was directed to the sheriff of the county, and it having been issued by the court. Your complainant alleges that the said B. L. Lorton had no title ^{to} said land that the legal title

of said land that the legal title is in the children and heirs
that it was illegally and wrongfully sold or said judgment was not a
of Jno. Lorton deceased; that his said three acre of land was
recently sold, that the constable, Wm. Litrell should be
enjoined and restrained from executing said writ of possession.
that the deed executed *by* Jas. W. Orr to W. E. Orr, and to
Woodward should be declared null and void.

The prayer of your complainant is that the said Wm.
Litrell, constable, W. E. Orr, ~~Wm. Woodward and E. I.~~
~~Lorton~~ be made parties defendant *to* this bill and answer the
same but not on oath, that being waived that said Wm. Litrell,
constable and W. E. Orr be enjoined from executing said writ
of possession and that said deeds be set aside as they are
encumbrances on the title of said land and your complainant
pray that for all other and further relief generally that the
nature of his case may require or to equity seem mete and he
will ever pray ect,

M. G. Ely ----- p. 4.

Virginia Lee County to-wit;

I, M. G. Ely a Commissioner in Chancery for the
Circuit court of Lee county Virginia. Do certify that Joseph
Blalock personally appeared before me and made oath that the
statements and allegations in the foregoing bill *are* true ,
Given under my hand this the 16th day of November 1908.

M. G. Ely -----
Commissioner in Chancery.

THE COMMONWEALTH OF VIRGINIA.

To the Sheriff of the County of Lee, Greeting:

WE command you that you put W. E. Orr in possession of that certain tract or parcel of land sold to him by James W. Orr, Special Commissioner, in the Chancery cause lately pending in the Circuit Court of the County of Lee in which Peck, Jarnagin & Company were plaintiffs, and B. L. Lorton, defendant, and which tract of land is in the bill and proceedings in said cause mentioned and described, and decreed to be sold therein, it being one of the tracts of land sold and conveyed by Wm. S. Ball and wife to the said B. L. Lorton by deed dated Oct. 2nd, 1890, and of record in the clerk's office of Lee County, Virginia, in book 25, page 558, and the same tract or parcel of land attempted to be sold and conveyed by said Lorton and wife to Joe Blaylock and wife by deed dated Sept. 16th, 1907, and recorded in the said clerk's office in book 46, page 328 and which tract of land was conveyed by the said James W. Orr, ^{Special Commissioner} in said Chancery cause to the said W. E. Orr, by deed dated Sept. 14th, 1908, and recorded in the said clerk's office / containing three acres more or less, (and on which tract of land the said Joe Blaylock now resides).

And how you have executed this writ make known to the said Court at the court-house of said county on the first day of the next term of said court. And have then there this writ.
Witness H. C. P. Ewing, Clerk of our said court, at the court house, the 4th day of November, 1908, and in the 133 year of the Commonwealth.

H. C. P. Ewing, Clerk.

A Copy Teste:
H. C. P. Ewing, Clerk.

I have this day sold to Joseph Blalock
a lot of op Land Lying & Being in the County
of Lee and State of Virginia Lying on the
west side ^{of my lands} and adjoining the lands sold by Sam
Chadwell to Lundy commencing with the
west of the Road running south with lower
End of Road to South Side line & Running with
Line west Round to the Shoted oak supposed
to be 3 acres more or Less now if the said
~~Joseph Blalock~~ John Lorton or heirs to be
made a deed generally to the said Joseph Blalock
when the purchase money is paid then this
obligation to be null and void other wise to
be in full force this Sept 26th 1889

John Lorton Sen,

~~Joseph Blalock~~
~~to tiller Bond~~

John Lorton
to tiller Bond

1909 2nd Dec Rutes
Bill filed Sp. 4
ecuted as to H & Orr
Nov. 28, 1908 and as to
William Littlell and
+ Wm Woodward.

Plff's costs rec:

Clk \$7.82

Tax 1.50

Shff. 1.50

atty. 15.00

N.P. 3.75

Wats. 5.20

\$34.77

Drfts. costs:

Clk \$0.30

N.P. .75

\$1.05

Joseph Blalock Plff.

vs. {{ Bill in Chancery -

Wm Littlell et al Defs

Injunction is
awarded according
to the prayer of
The bill will 1st
day of December
of the County of
Cecil, but not to
be effect, plaintiff
execute bonds before
Clerk of said Court
in sum of \$50.
condition as re-
quired by Court
Nov 18, 1908.

H. A. W. Stuen

Judge

To the Hon. H. A. W. Skeen, Judge of the Circuit Court
for Lee County, Virginia.

The demurrer and answer of W. E. Orr and Wm. Woodward to a bill in chancery filed in this honorable court against them and Wm. Littrell by Joseph Blaylock, for demurrer thereto these respondents say that the said bill is not sufficient in law for them to be called upon to answer, and they demur thereto, but should any other or further answer be necessary, answering they say, that it is true that the lands mentioned in plaintiff's bill was sold in the chancery cause lately pending in your honor's court in which Peck Jarnigan & Company were plaintiffs and B. L. Lorton was defendant, and at which sale your respondent W. E. Orr became the purchaser, and that said purchase was duly completed and a deed made to him for the said land by the commissioner who sold the same, and that he has since then sold and conveyed the said tract or parcel of land to your respondent Wm. Woodward, and your respondent alleges that the proceedings in the said chancery cause were regular and said sale and confirmation of the same was in accordance with the decree rendered in said cause, ^{and in the decree rendered} on the 14th day of Sept. 1908, your honor awarded a writ of possession to the said purchaser to cause ^{him} ~~the same~~ to have the possession of the said tract or parcel of land upon application to the clerk of this court for the same; that he applied to the clerk of the court for the said writ and the same was duly issued and placed in the hands of an officer for execution, a copy of which writ is exhibited with complainant's bill. Thee bill, exhibits, decrees, reports &c. and all the proceedings in the said chancery cause of Peck Jarnigan Company against the said B. L. Lorton, still remain on file in the clerk's office of this honorable court, and are referred to and made a part of this answer in so far as they are applicable to the proper adjudication of ^{questions raised by} the said Blaylock's bill of injunction. Your respondents deny the validity of the pretended title bond exhib-

ited by complainant in his said bill, the same is not under seal and there is no purchase price stated, and they plead the statute of limitation against the enforcement in any manner of the said paper at this late date. And your respondents deny that the said Joseph Blaylock ever paid to John Lorton, Sr. one cent of the purchase money for said land, and they likewise deny that the said John Lorton, Sr. ever paid to Wm. S. Ball any amount what ever for the said land or ever had any title thereto from the said Wm. S. Ball who was the owner of the same. Upon the contrary, as will be seen by inspection of the proceedings in the chancery cause of Peck, Jarnigan & Company against B. L. Lorton, the said B. L. Lorton, sometimes called Bayless Lorton, was the purchaser of the said tract of land from the said Wm. S. Ball and Mary J. Ball his wife, and at the price of \$125.00, which purchase money was fully paid and the said Ball and wife on the 2nd day of Oct. 1890 conveyed by proper deed to the said Bayless Lorton, the said tract or parcel of land. (See their deed filed as ^{"E"} an exhibit in original cause), and as will be seen by an inspection of the record and proceedings in said cause, the land as before stated was sold to pay and a judgment or judgments obtained in your honor's court before a Justice of the Peace against the said B. L. Lorton, and which were duly docketed in the clerk's office of this county and became liens upon the said land while the same was owned by the said B. L. Lorton, (see docket^{ing} of said judgment as exhibited in said chancery cause) And your respondents further allege that after the docketing of said judgment December 14th, 1906, and January 1st, 1907, respectively, and on the 10th day of September 1907, the said Joseph Blaylock and wife procured from the said B. L. Lorton and wife a deed purporting to convey the said tract of land to them, and your respondents respectfully submit that the said Blaylock is estopped by the said deed from the said Lorton and wife to deny that the said Lorton had a title to the said land and his denial in his bill is not only in the teeth of the record but also in the teeth of his own deed,

that he undertook to receive from the said Lorton and wife, a copy of said last mentioned deed from the said Lorton and wife to the said Blaylock and wife is herewith filed as part hereof marked "Deed". Your respondents deny that Wm. S. Ball and wife ever made any deed for the said land to John Lorton the father of B. L. Lorton, and they deny that B. L. Lorton ever got hold of such deed and destroyed the same, no such deed ever was made. And your respondents allege that the deed from Wm. S. Ball to B. L. Lorton dated Oct. 2nd, 1890 does cover the tract of land in controversy. Your respondents deny that the legal title to said land is in the children and heirs of John Lorton, deceased, upon the contrary it was in the said B. L. Lorton and was properly sold to pay the judgment liens against him.

fully
Now having answered your respondents pray that the complainant's bill be dismissed, *the injunction dissolved,* and that the writ of possession be executed and your respondents Wm. Woodward the vendee of the said W. E. Orr be placed in possession of the said tract of land. *they awarded their costs here expended* And your respondents will ever pray &c.

James W. Orr for Def't.

Wm Woodward. et al.
advs. And
Joseph Playlock.

Filed Dec. 4, 1908.

H.C. D. Ewing.
Clerk

Joseph Blalock Plff.
against $\{ \{ \{ \text{In Chancery}$
 $\} \} \} \text{Wm Little \& others Defts.}$

This cause came on this day to be heard
upon the bill of Plaintiff, depositions therewith
answer $\&$ deposition of defendants, and was
argued by counsel -

On consideration of which, the court being
of opinion that the plaintiff is entitled to the
relief prayed for in his bill, It is adjudged,
ordered and decreed that the sale made of the land
belonging to Joseph Blalock in the chancery cause
of Rich. Jarrin and Co. vs. B. L. Lorton, to W. E. Orr
by James W. Orr - Commissioner, and the deed
made in pursuance of said sale - and the deed made
by W. E. Orr to Wm Woodward - each be set aside
and held for naught, and plaintiff's injunction
be forever perpetuated against Wm Little, P. S. C. And that
the plaintiff have peaceable possession of said land
and for that purpose, if necessary, a writ of possession
be awarded, and the plaintiff is permitted to amend
his bill making all the children $\&$ heirs at law
of John Lorton dec - parties ^{to said bill -} for the purpose of
extracting the legal title, and when properly motined
as to them if no defense be made to the same,
M. G. Ely, who is hereby appointed for the purpose -
will as commissioner execute and deliver to Joseph
Blalock a deed to said land conveying the legal
title held by the heirs of John Lorton dec - And it is
further decreed that the Plaintiff recover of the defendants
his costs of this suit to be taxed by the clerk for which
execution may issue, and the cause is continued,

Joseph Blalock -
vs. E. Deane.
Mr. Little et al.

Entered in C.O.B.
#8, page 5614c.

Enter this

H. A. W. Siler

Dec. 10 - 1909 -

Joseph Blaylock,

Plaintiff.

vs. In chancery

William Littrell, W. E. Orr and William Woodward, Defendants.

This cause came on this day to heard on the bill of the plaintiff an exhibit therewith the answer of the defendants, W. E. Orr and William Woodward, and exhibits therewith the injunction granted in the cause on November, 18, 1908, and the motion of the defendants to dissolve said injunction, and was argued by counsel.

On consideration thereof, it ^{is} ~~was~~ adjudged, ordered and decreed that the said injunction be and is hereby dissolved, ~~and the defendant, W. E. Orr, the purchaser of the land in the bill mentioned, has leave to have his writ of possession issued in the chancery cause of Beck Loring & Co. vs. B. L. Horton, executed, and as the return day of the writ heretofore issued, has passed, he may have another writ of possession to cause him to have possession of the said land.~~ And further time being asked by the plaintiff in which to take and introduce evidence to establish his claim to the said land, the cause is continued .

Joseph Blaylock.

Decree to 1.

Mr Littrell et al.

Entered in C.O.B.

#8, page 426

Enter this decree.

Hawslum

Decr 15-11 1908.

The deposition of W. E. Wynn, taken at the law office of Jame
W. Orr, in Jonesville, Virginia, Feb. 6th, 1909, by agreement
o of parties, to be read as eveidence in the chancery cause pending
in the Circuit Court of Lee County, Virgi ia, in which Joseph
Blaylock is plaintiff, and Wm. Litrell and others are defendants

James W. Orr, counsel for Deft.

PRESENT

_____ Counsel for pltt.

The said W. E. Wynn a witness of lawful age being duly sworn
deposes and says:

Q. QUESTION BY DEFENDANT'S COUNSEL.

Q.1. Please state yo r age and residence.

Ans. 59 years old, reside near Jonesville, Virginia.

Q. 2 Are you acquainted with M. S. Ball, and whithhis hand-
writing, and if so, for how long?

Ans. I am acquainted with M. S. Ball, and have known him
for forty years, formerly lived near him. I have seen his hand
writing frequently and think I am acquainted with it.

Q. 3 I now show you a paper filed with the plaintiff's bill
dated Sept. 26th 1889, and which purports to be a writing
executed by John Lorton, Sen. to Joseph Blaylock, in reference
to land, and will akk you to sta te in whose hand w riting
it is.

Ans. It looks to be the hand writing of M. S. Ball.

Q. 4 Is the name John Lorton, Sen. to said paper in the
same hand writing of the paper itself?

Ans. It looks to be the same hand writing.

Q5 And further this deponent sayth not.

W E Wynn

Joseph Blaylock
vs. } Deposition
W^m Librell et al,

Filed Feb. 8, 1909.
H. C. D. Cuming,
Clerk.

Notary Fee

75¢

The depositions of Joseph Blaylock and others taken before me, Allie O. Freeman, a Notary Public for Lee County, Virginia, at the Law Office of James W. Orr, in the Town of Jonesville, on the 22nd day of January, 1909, by consent of parties to be read as evidence in behalf of the plaintiff in a certain Chancery suit pending in the Circuit Court for Lee County, in which Joseph Blaylock is plaintiff, and William Litterell and others are defendants.

Present: Ma G. Ely, attorney for the plaintiff.

Jas. W. Orr, Attorney for the defendants.

Joseph Blaylock, a witness of lawful age being duly sworn deposes and says:

Q-1- Please state your age, residence and occupation?

A. Age 64, Live in Lee County at Ewing, Virginia, and am a farmer.

Q-2- Please state whether or not you are the Joseph Blaylock who claims title to the three acre tract of land in controversy in this suit?

A. I am the man that claims title to this land.

Q-3- Please state how long you have been in possession of this tract of land and what title papers you have for it?

A. I have been in possession about 19 years. I have a title bond to the land from the old man John Lorton which is filed with the bill, and that is the title under which I took possession of the land. I also have a deed from B. L. Lorton who was a son of John Lorton, deceased, for the same tract of land. He wrote to one of my sons after he left the State that he would make a deed to the piece of land for \$15.00 and like a fool we sent him the money and he made us a deed.

The foregoing answer is excepted to in so far as it seeks to set up any title or claim to the land in controversy in conflict with the deed from B. L. Lorton to the plaintiff.

Jas. W. Orr for defendants.

Q-4- Please state what was the consideration to be paid to John Lorton for the said tract of land and state whether or not it has ever been paid?

The foregoing question and any answer thereto is excepted to because this witness is incompetent to testify in regard to any transaction between him and John Lorton, the said John Lorton being dead.

Jas. W. Orr.

A. I bought it in two lots, one lot I was to pay \$40.00 for and the other \$45.00, to pay \$85.00 for all.

Q-5- Please state if you know from whom John Lorton bought this piece of land?

Excepted to because there should be better evidence and the better evidence should be produced.

Jas. W. Orr.

A. He bought it from William Ball, old Tommy Balls William known as "Yellow Bill".

Q-6- Please state if you know whether or not William Ball ever made to John Lorton a deed to this land?

Excepted to for the same reason that if a deed was made, the deed should be produced or properly accounted for.

Jas. W. Orr.

A. A deed was made by William Ball and wife to John Lorton and I saw the deed at John Lorton's house about the time that John Lorton made me the title bond.

The foregoing inquiry and answer thereto are all excepted to in so far and for the reason that they are in conflict with the deed taken by the plaintiff from B. L. Lorton for the land in controversy.

Jas. W. Orr.

Q-7- Please state if you know what ever became of the deed made by William Ball to John Lorton?

Excepted to for the same reason.

Jas. W. Orr.

A. I do not know what ever became of the deed.

Q-8- Please state whether or not B. L. Lorton ever had any title that you know of in any way to this land which you bought from his father, John Lorton?

Excepted to because in conflict with and intending to contradict the deed accepted and taken by the plaintiff from the said B.L. Lorton.

Jas. W. Orr.

A. He never had any that I know of. He tried to buy this land from me one time but I refused to sell it to him.

Q-9- Please state whether or not if you know the deed from William Ball and wife on October 2nd, 1890, and recorded in Deed Book 25 p. 558 to B. L. Lorton, covers the three acre tract of land that you bought from John Lorton?

Excepted to for the same reason.

Jas. W. Orr.

A. It does not.

Q-10- State whether or not you are still in the possession of this three acre tract of land?

A. Yes sir.

Q-11- State whether or not William Litterell, Constable of Lee County, served on you a copy of a writ of possession?

A. Not on my but on one of my boys who was living in the house.

The defendants counsel not waiving his exceptions to the examination of this witness but relying thereon proceeds to cross-examine the witness as follows:

XQ-1- Is it not a fact that B. L. Lorton and Vinia Lorton his wife, did convey to you the tract of land in controversy by deed dated September 16th, 1907?

A. They did fix up a deed and send it back here and my son paid them the \$15.00.

XQ-2- You accepted the said deed and had it recorded in the clerk's Office, did you not?

A. I did. I was advised that way and knew no better.

XQ-3- State whether or not that deed properly describes the tract or parcel of land in controversy?

A. On hearing the calls of said deed read I suppose that covers the land in controversy.

XQ-4- You have stated in your examination in chief that you paid to John Lorton the purchase price for this land. Have you any re-

ceipts or notes lifted, or any other evidence of that fact?

A. There was an old note for \$20.00, the last payment but I do not know whether it could now be read sufficiently to show what it is or not. I think I left that note with M. G. Ely.

XQ-5- You state that you are still in possession of this land. Is it not a fact that the house is vacant and has been for some time?

A. My son, who was living in the house moved out about two months ago and moved his effects but left some of mine in the house and I have the door locked.

Q-6- You have stated that B. L. Lorton never had any title to this tract of land that you know of. Is it not a fact that by deed dated the 2nd day of October, 1890, made by William S. Ball and Mary J. his wife, to Bayless Lorton, who is known as B. L. Lorton, conveyed to the said B. L. Lorton this tract of land, together with another tract, a copy of which said deed is exhibited in this cause marked "E"?

A. On hearing the calls read I cannot say whether they are calls of this tract in controversy or not.

And further this deponent sayeth not.

(Signature waived.)

C. H. Blaylock, another witness of lawful age being duly sworn deposes and says:

Q-1- Please state your age, residence, and occupation, and your relationship to the plaintiff?

A. I am 32 years old. Residence Ewing, Va. am a farmer. Son of the plaintiff.

Q-2- Please state whether or not you are acquainted with the 3 acre tract of land owned by your father in controversy in this suit and how long have you known it?

A. I have known the land for 13 or 14 years, principally raised near it.

Q-3- You have just heard read the calls in a deed made in 1890 by William S. Ball and wife to Bayless Lorton. Please state whether or not the calls in that deed with reference to the 3 acre tract covers

or is the same tract of land in controversy in this suit?

Excepted to because intended to contradict or deny the title received by the plaintiff and wife from B. L. Lorton and wife, and is not admissible.

Jas. W. Orr.

A. I do not think that it covers the piece of land my father bought, at least the corners do not correspond with any that I have ever heard called. The William survey I do not know what piece of land that is.

Q-4- Please state whether or not if you know B. L. Lorton owned or had any title to the piece of land your father bought from John Lorton?

Excepted to for the same reason.

Jas. W. Orr.

A. I could not say that he did or did not for I do not know.

Cross-Examination.

XQ-1- Does the calls in the deed from B. L. Lorton and wife to your father and mother cover the three acre tract of land in controversy at all?

A. I do not think that it does. I am of opinion that there is a call or two left out after reaching the south line mentioned.

And further this deponent sayeth not.

(Signature waived)

Samule Stanley, another witness of lawful age, being duly sworn deposes and says:

Q-1- Please state your age, residence, and occupation, and whether or not you are acquainted with the land in controversy?

A. I am 52 years old, reside at Ewing, Va, am a farmer, and I know the piece of land that Lorton sold to Blaylock. I have known it 12 or 13 year.

Q-2- Please state if you know whether or not William S. Ball and wife ever made to John Lorton a deed to this land which Lorton sold to Blaylock?

Excepted to because intending to conflict with the plaintiffs deed from B. L. Lorton and wife.

Jas. W. Orr.

A. I do not know.

Q-3- You have heard read the calls of the two acre tract in the deed made by Ball and wife to Bayless Lorton in 1890. Please state whether or not those calls cover this three acre tract of land in controversy, or was that land deeded to you by B. L. Lorton?

A. It seems to me that it covers both the Blaylock land and the land which I bought.

Q-4- How much land did you buy from Bayless Lorton?

A. 23 acres more or less.

Q-5- Have you a deed from Bayless Lorton for the 23 acres, and if you have will you please file a copy of this with your deposition?

A. I have and file a copy with my deposition.

Q-6- State whether or not this land borders on or adjoins the 3 acre tract of Blaylock's?

A. Yes sir, it adjoins it on the west side of the ridge lot.

Q-7- Please state whether or not at the time you bought this land from Bayless Lorton you understood from him that he claimed any other land there, or did he sell you all the land he owned in that place?

Excepted to because in conflict with the plaintiff's deed.

Jas. W. Orr.

A. He sold me all that he said belonged to him. He said to make my deed running west side of the ridge lot. He said he did not want to make me a deed to anything that did not belong to him.

Q-8- On which side of the ridge lot does the Blaylock land lie?

A. It lies on the west side of the lot.

Q-9- Who else was present at the time this deed was executed when B. L. Lorton said that he did not want to deed something that did not belong to him, that Blaylock had bought the other piece of land from his father?

A. I do not know just who was present. I do not recollect any body except Mr. Ball, myself and Lorton. It was at

Sterl Robinsons.

Cross-Examination.

XQ-1- Please state whether or not the calls in deed from B. L. Lorton and wife to Joseph Blaylock and wife, dated 16th of September, 1907, in your opinion covers the 3 acre tract of land in controversy?

A. I think the calls do as far as they go. I think they are correct from the spotted oak south with the road to a south line, then from there as I understand it the boundary should go west with that line, but as to how the other corners get around to the spotted oak, I do not know how that is.

And further this deponent sayeth not.

(Signature waived.)

Lucy Pridemore, another witness of lawful age being duly sworn deposes and says:

Q-1- Please state your residence and relationship to John Lorton, deceased?

A. I live at Ewing, Va., and he is my father.

Q-2- How long has your father been dead?

A. About 18 years.

Q-3- State whether or not you are acquainted with the 3 acre tract of land which your father sold to Joseph Blaylock?

A. Yes sir. I have been on it many times and have lived on it, but I could not tell you how it runs.

Q-4- Do you remember about the time your father sold this land to Mr. Blaylock?

A. Yes sir.

Q-5- Please state if you know whether or not your father ever had a deed to this land from William Ball and wife?

A. Yes sir he had one. I could not read it but I heard him read the deed.

Q-6- Do you know what ever became of that deed?

A. I do not. My Brother Bayless got hold of the deed after my father died and I do not know what he did with it.

Q-7- What other land did your father own there besides the 3 acres sold to Blaylock?

A. My father also owned the land that Bayless sold to Mr. Stanley.

Q-8- Please state whether or not you ever heard Bayless Lorton say anything about having title to the tract of land which your father sold to Mr. Blaylock?

A. No sir I never did, but I heard him say that he was going to try to buy this land from Mr. Blaylock a short time before he left.

Excepted to in so far as in conflict with the plaintiff's deed from B. L. Lorton and wife.

Jas. W. Orr.

Q-9- Do you or not know anything of your father making to Bayless Lorton a deed to this Blaylock land?

A. I do not.

Cross Examination.

XQ-1- Can you read and write?

A. No sir.

XQ-2- You stated that you heard your father John Lorton read the deed from Ball and wife and you also stated that after your father's death, your brother Bayless Lorton got hold of the deed and that you did not know what became of it? How do you know that Bayless got hold of that particular deed?

A. I do not know for certain, only what he told me and what paps wife told me.

XQ-3- So you do not know of your own knowledge whether or not such a deed ever existed, and if so, what became of it do you?

A. I do not. I only know what someone else says. I heard my father read it.

And further this deponent sayeth not.

(Signature waived.)

T.S. Snaveley, another witness of lawful age being duly sworn deposes and says:

Q-1- Please state your age, residence, and occupation?

A. 57years old, live at Ewing, Va. am a farmer.

Q-2- State whether or not you are acquainted with the Blaylock three acre tract of land in controversy in this suit and how long have you know it?

A. I am acquainted with it and have known it about 26 or 27 years.

Q-3- Please state whether or not you were present when the deed was executed or written by B. L. Lorton to Samuel Stanley and written by M. S. Ball?

A. I do not think I was present.

Q-4- Please state whether or not you ever heard Bayless Lorton say anything about this Blaylock tract of land not being his?

A. I do not remember hearing him say anything about it.

Q-5- Please state if you know whether or not John Lorton ever had a deed from William Ball and wife?

A. He claimed he did when I moved there. He called it his land. My recollection is that he showed me the deed once but I am not positive. The man talked a great deal of what he had and boasted about his affairs.

The foregoing is excepted to because in conflict with the plaintiffs deed from Lorton and wife.

James W. Orr.

Q-6- Please state whether or not the citizen's in that neighborhood of where Capt. John Lorton lived, recognized the fact that he owned the two tracts of land, that is the Blaylock tract and the tract deeded by Bayless Lorton to Samuel Stanley?

A. ~~XXXXXXX~~

Excepted to because heresay and immaterial and in conflict with the plaintiffs deed from B. L. Lorton and wife.

Jas. W. Orr.

A. Yes sir. I lived in the neighborhood and all the citizens recognized the fact that he was the owner of the land and bought board trees from him, and I remember one instance in which he sold to Smith Ball a right-of-way across the land. Never heard of anybody

else claiming it.

Cross-Examination.

XQ-1- Did the Citizens base their recognition on the right of John Lorton on the fact that he had title to the land, or only on the fact that he was in possession of it and claiming it?

A. He was in possession and claiming the land, but I know nothing about the title.

And further this deponent sayeth not.

(Signature waived)

State of Virginia,

County of Lee, to-wit:

The foregoing depositions of Joseph Blaylock, C. H. Blaylock, Samuel Stanley, Lucy Pridemore, and T. S. Shaveley, were taken and sworn to before me at the time and place and for the purpose in the caption mentioned.

Given under my hand this the 22nd day of January, 1909.

N.P.

Given under my hand this the ninth day of January, 1900.
The section mentioned.

and the following persons were at the time and place and for the purpose in
testimony of the fact, to-wit:

(Signatures omitted)

Joseph Blalock, *off*
vs. *depositions of*
off
Wm. Lethell et al. dect

That I am the said Joseph Blalock, and I know nothing
about the fact that he had title to the land, or only on the
right of
Cross-Examination.

The depositions of Joseph Blaylock and others taken before me, Allie O. Freeman, a notary public for Lee County, Virginia, in the law office of Jas. W. Orr, in the Town of Jonesville, on the 22nd day of January, 1909, by consent of parties, to be read as evidence in a certain Chancery suit pending in the Circuit Court for Lee County, in which Joseph Blaylock is plaintiff and William Littrell and others are defendants.

Present: M. G. Ely, Attorney for the Plaintiff.

Jas. W. Orr, Attorney for the defendants.

Joseph Blaylock, a witness of lawful age being duly sworn deposes and says:

Ques. 1- Please state your age, residence, and occupation?

Ans. I am sixty-four years old, reside at Ewing, Lee County, Va., and am a farmer.

Ques. 2- Please state whether or not you are the Joseph Blaylock who claims title to the three acre tract of land in controversy in this suit?

Ans. I am the man that claims title to this land.

Ques. 3- Please state how long you have been in possession of this land and what title papers have you to it?

Ans. I have been in possession about nineteen years. I have a title bond to the land from the old Man John Lorton which is filed with the bill and that is the title under which I took possession of the land. I also have a deed from B. L. Lorton who was a son of John Lorton, deceased, for the same tract of land. He wrote to one of my sons after he left the State that he would make a deed to the piece of land for \$15.00, and like a fool we sent him the money and he made us the deed.

The foregoing answer is excepted to in so far as ~~the~~ it seeks to set up any title or claim to the land in controversy in conflict with the deed from B. L. Lorton to the plaintiff.

J. W. Orr for Defendants.

Ques. 4- State whether or not John Lorton is dead and died without making you any deed to the land, and how long he has been dead?

Ans. He is dead and died without making me a deed, and has been dead about eighteen years.

Ques. 5. Please state what was the consideration to be paid to John Lorton for the said tract of land, and state whether or not it has ever been paid?

The foregoing question and any answer thereto is excepted to because this witness is incompetent to testify in regard to any transaction between him and John Lorton, the said John Lorton being dead.

J.W.Orr.

Ans. I bought it in two lots. One lot I was to pay \$40.00 for and the other \$45.00, making \$85.00 for both lots.

Ques. 6- Please state if you know from whom John Lorton bought this piece of land?

Excepted to because there should be better evidence and the better evidence should be produced.

J.W.Orr.

Ans. He bought it from William Ball, Old Tommy Ball's William, known as "Yellow Bill."

Ques. 7- Please state if you know whether or not William Ball ever made to John Lorton a deed to this land?

Excepted to for the same reasons that if a deed was made, the deed should be produced or properly accounted for.

J.W.Orr For Defendants.

Ans. A deed was made by William Ball and wife to John Lorton and I saw the deed at John Lorton's house about the time that John Lorton made me the title bond.

The foregoing inquiries and answers thereto are all excepted to in so far and for the reason that they are in conflict with the deed taken by the plaintiff from B. L. Lorton for the land in controversy.

J.W.Orr.

Ques. 8. Please state if you know what ever became of the deed made by William Ball to John Lorton?

Excepted to for the same reasons. J.W.Orr for Defts.

Ans. I do not know what ever became of the deed.

Ques. 9. Please state whether or not B. L. Lorton ever had any title that you know of in any way to this land which you bought from his father John Lorton?

Excepted to because in conflict with and intended to contradict the deed accepted and taken by the plaintiff from the said B. L. Lorton. J.W.Orr.

Ans. He never had any that I know of. He tried to buy this land from me at one time, but I refused to sell it to him.

Ques. 10. Please state if you know whether or not the deed from Willian Ball and wife on October 2nd, 1890, and recorded in deed book 25 page 558, to B. L. Lorton covers the three acre tract of land that you bought from John Lorton?

Excepted to for the same reasons.

J. W Orr for Defendants.

Ans. I does not.

Ques 11. State whether or not you are still in the possession of this thre acre tract of land?

Ans. Yes sir.

Ques. 12. State whether or not William Littrell, Constable of Lee County, served on you a copy of a writ of possession?

Ans. Not on me, but on one of my boys who was living in the house.

The defendants counsel not waiving his exceptions to the examination of this witness, but relying thereon proceed to cross-examine the witness as follows:

XQues. 1 Is not it a fact that B. L. Lorton and Vina Lorton, his wife, did convey to you the tract of land in controversy by deed dated the 16th day of September, 1907?

Ans. They did fix up a deed and sent it back here and my son paid them the \$15.00.

XQues.2. You accepted the said deed and had it recorded in the

clerk's office, did you not?

Ans. I did, I was advised that way and knew no better.

XQues. 3- State whether or not that deed properly describes the tract or parcel of land in controversy?

Ans. On hearing the calls of said deed read I suppose they cover the land in controversy.

XQues. 4. You have stated in your examination in chief that you paid to John Lorton the purchase price for this land. Have you any receipts, notes lifted or any other evidence of that fact?

Ans. There was an old note for \$20.00 the last payment, but I do not know whether it could now be read or not. I think I left that note with M.G.Ely.

XQues. 5. You state that you are still in possession of this land, is it not a fact that the house is vacated and has been for some time?

Ans. My son who was living in the house moved out about two months ago and moved his effects and left some of mine in the house and I have the door locked.

XQues. 6 You have stated that B. L. Lorton never had any title to this tract of land that you knew of, is it not a fact that by deed dated the 2nd day of October, 1890, made by William S. Ball and Mary J. his wife to Bayles Lorton, who is known as B. L. Lorton, ^{they} conveyed to the said B. L. Lorton this tract of land together with another tract, a copy of which said deed is exhibited in this cause marked "E"?

Ans. On hearing the calls read, I cannot say they are calls of this tract in controversy or not.

And further this deponent saith not.

(Signature waived)

C. H. Blaylock, another witness of lawful age being duly sworn deposes and says:

Ques. 1. Please state your age, residence, and occupation, and relationship to the plaintiff?

Ans. I am thirty two years old, reside near Ewing, Virginia, am a farmer and a son of the plaintiff.

Ques. 2. Please state whether or not you are acquainted with the three acre tract of land owned by your father in controversy in this suit and how long have you known it?

Ans. I have known the land for 18 or 19 years, principally raised near it.

Ques. 3. You have just heard read the calls in a deed made in 1890 by William S. Ball and wife to B. L. Lorton. Please state whether or not the calls in that deed with reference to the two acre tract covers, or is the same tract of land in controversy in this suit?

Excepted to because intended to contradict or deny the title received by the plaintiff and wife from B. L. Lorton and wife and is not admissible. J.W.Orr.

Ans. I do not think that it covers the piece of land that my father bought, at least the corners does not corresponde with any that I have ever heard called. I do not know what piece of land the Wilson survey is.

Ques. 4. Please state whether or not if you know B. L. Lorton ever owned or had any title to the piece of land you father bought from John Lorton?

Excepted to for the same reasons.

J.W.Orr.

Ans. I could not say that ~~he~~ did, or ~~he~~ didn't for I do not know.

CROSS-EXAMINATION.

XQues. 1- Does the calls in the deed from Bayless Lorton and wife to your father and mother cover the three acre tract of land in controversy or not?

Ans. I think that it does, except I am of opinion that there is a call or two left out after reaching the south line mentioned.

And further this deponent saith not.

(Signature waived.)

Samuel Stanley, another witness of lawful age being duly sworn deposes and says:

Ques. 1. Please state your age, residence and occupation, and whether or not you are acquainted with the land in controversy?

Ans. I am fifty-two years old, reside at Ewing, Virginia, am a farmer, and I know the piece of land that Lorton sold to Blaylock. I have known it twelve or thirteen years.

Ques. 2- Please state whether or not if you know William S. Ball and wife ever made to John Lorton a deed to this land which Lorton sold to Blaylock?

Excepted to because intened to conflict with the plaintiffs deed from B. L. Lorton and wife.

J. W. Orr for Defendants.

Ans. I do not know.

Ques. 3- You have heard read the calls of the two acre tract in the deed made by Ball and wife to Bayless Lorton in 1890. Please state whether or not those calls cover this three acre tract of land in controversy, or was that land deeded to you by B.L.Lorton?

Ans. It seems that they cover both the Blaylock land and the land which I bought.

Ques. 4. How much land did you buy from Bayless Lorton?

Ans. Twenty-three acres more or less,

Ques. 5. Have you a deed from Bayless Lorton for the 23 acres, and if you have will you please file a copy of this deed with your deposition?

Ans. I have a deed and here file a copy of it with my deposition.

Ques. 6. State whether or not this land borders on or adjoins the three acre tract of Blaylocks.

Ans. Yes sir, it adjoins it on the west side of the ridge road.

Ques. 7. Please state whether or not at the time you bought

this land from Bayless Lorton, you understood from him that he claimed any other land there, or did he sell you all the land he owned at that place.

Excepted to because in conflict with the plaintiffs deed.

J.W.Orr.

Ans. He sold me all that he said belonged to him. He said that he did not want to make me a deed to anything that did not belong to him,

Ques. 8. On which side of the ridge ^{road} does the Blaylock land lie?

Ans. It lies on the west side of the road.

Ques. 9. Who else was present at the time this deed was executed when Bayless Lorton said that he did not want to deed something that did not belong to him?

Ans. I do not know just who was present. I do not recollect any body except Mr. Ball, myself and Lorton. It was at Sterrell Robinson's.

CROSS EXAMINATION.

XQes. 1. Please state whether or not the calls in deed from B. L. Lorton and wife to Joseph Blaylock and wife, dated 16th of Sept. 1907, in your opinion covers the three acre tract of land in controversy?

Ans. I think the calls do as far as they go. I think they are correct from the spotted oak south with the road to a south side line, then from there as I understand it, the boundary should go west with that line, but as to how the other corners get around to the spotted oak, I do not know how that is.

And further this deponent saith not.

(Signature waived)

Lucy Pridemore, another witness of lawful age, being duly sworn deposes and says:

Ques. 1. Please state your residence and relationship to John Lorton, deceased?

Ans. I live at Ewing, Virginia, and he was my father.

Ques. 2. How long has your father been dead?

Ans. About eighteen years.

Ques. 3. State whether or not you are acquainted with the three acre tract of land which your father which your father sold to Joseph Blaylock?

Ans. Yes sir, I have been on it many a time and have lived on it, but I could not tell how it runs.

Ques. 4. Do you remember about the time your father sold this land to Mr. Blaylock?

Ans. Yes sir.

Ques. 5. Please state if you know whether or not your father ever had a deed to this land from Smith Ball and wife?

Ans. Yes sir, he had one. I could not read it but I heard him read it.

Ques. 6. Do you know what ever became of that deed?

Ans. I do not. My brother Bayless got hold of the deed after my father died and I do not know what he did with it.

Ques. 7. What other land did your father own there besides the three acres sold to Blaylock?

Ans. My father owned the land that Bayless sold to Mr. Stanley.

Ques. 8. Please state whether or not you ever heard Bayless Lorton say anything about having a deed to the tract of land which your father sold to Mr. Blaylock?

Ans. No sir, I never did, but I heard him say that he was going to try to buy this land from Mr. Blaylock a short time before he left.

Excepted to in so far as in conflict with the plaintiffs deed from B. L. Lorton and wife.

J. W. Orr.

Ans. Do you or not know anything of your father making to Bayless Lorton a deed to this Blaylock land,

Ans. I do not.

CROSS EXAMINATION.

XQues. 1. Can you read and write?

Ans. No sir.

XQues. 2. You stated that you heard your father John Lorton read the deed from Ball and wife, and you also stated that after your father's death your brother Bayless Lorton got hold of the deed and that you did not know what became of it. How do you know that Bayless got hold of that particular deed?

Ans. I do not know for certain, I only know what he told me and what paps wife told me.

XQues. 3. So you do not know of your own knowledge whether or not such a deed ever existed, and if so, what became of it do you?

Ans. I do not know. I only know what some one else says, I heard my father read it.

And further this deponent sayeth not.

(Signature waived)

T. S. Snavely, another witness of lawful age being duly sworn deposes and says:

Ques. 1. Please state your age, residence and occupation?

Ans. I am fifty-seven years old, reside at Ewing, and am a farmer.

Ques. 2. State whether or not you are acquainted with the Blaylock three acre tract of land in controversy in this suit, and how long have you known it?

Ans. I am acquainted with it and have known it about twenty-six or seven years.

Ques. 3. Please state whether or not you was present when the deed was executed by B. L. Lorton to Samual Stanley and written by Mr. Ball?

Ans. I do not think I was present.

Ques. 4. State whether or not you ever heard ~~Blaylock~~ Bayless Lorton say anything about this Blaylock tract of land not being his?

Ans. I do not remember hearing him say anything about it.

Ques. 5. Please state if you know whether or not John Lorton ever had a deed from William Ball and wife?

Ans. He claimed he did. When I moved there he called it his land. My land joined his. My recollection is that he showed me the deed once but I am not positive. The man talked a great deal of what he had and boasted about his affairs.

The foregoing is accepted to because in conflict with the plaintiffs deed from Lorton and wife.

J.W.Orr.

Ques. 6. Please state whether or not the citizens in the neighborhood of where Capt. John Lorton lived recognized the fact that he owned the two tracts of land, that is the Blaylock tract and the tract deeded by Bayless Lorton to Samuel Stanley?

Ans. ~~XXXXXX~~

Excepted to because heresay and inadmissible and in conflict with the plaintiffs deed from Bayless Lorton and wife.

J.W.Orr for Defendants.

Ans. Yes sir, I lived in the neighborhood and all the citizens recognized the fact that he was the owner of the land and bought board trees from him, and I remember one instance in which he sold to Smith Ball a right-of-way across the land. Never heard of anyone else claiming it.

~~CROSS~~-EXAMINATION.

XQues.1- Did the citizens base their recognition on the rights of John Lorton on the fact that he had title to the land, or only on the fact that he was in possession of it, and claimed it?

Ans. He was in possession and claimed the land but I know nothing about the title.

And further this witness saith not.

2(Signature waived).

State of Virginia,

County of Lee, to-wit:

The foregoing depositions of Joseph Blaylock, C. H. Blaylock, Samuel Stanley, Lucy Pridemore, and T. S. Snavelly were taken, subscribed and sworn to before me at the time and place, and for the purpose in the caption mentioned.

Given under my hand this the 22nd day of January, 1909.

Allie O. Freeman N.P.

Notary's fee \$3.75

This deed made this 3rd day of February, 1896 by and between Bayless Lorton and Levina Lorton his wife, of the first part and Samuel Stanley of the second part, all of Lee County, Virginia.

Witnesseth that the said Bayles Lorton and Levina Lorton his wife for and in consideration of the sum of One Hundred and Eighty (\$180.00) Dollars to them in hand paid, the receipt whereof is hereby acknowledged, has this day bargained, sold and conveyed unto the parties of the second part a certain tract or parcel of land lying and being in the County of Lee and State aforesaid, and on the waters of Indian Creek and adjoining the said M. S. Balls land and also the Gray lands, and bounded as follows: Beginning on a poplar and white oak corner to the Wilson and Talor survey, thence south running with the old Wilson survey now called the Gray land S. 54 poles to a stake in said Louis Brooks land and with the same S. 77 W. supposed to be 80 poles to the west side of a ridge-road to a stake on the west side of said road, thence running on the west side of said road north to a stake in the old five hundred acre line or the George Chadwell line all the land owned by the said Lorton, thence running with the said Louis Brooks and T. S. Snavelly line 92 poles to the beginning with one exception. A strip of land running up the branch belonging to M. S. Ball, beginning at a stake in T. S. Snavelys land running 15 feet wide to Louis Brooks line running south to include the road as it now runs, supposed to contain 23 acres, be the same more or less, with all of its appurtenances thereto belonging to the parties of the first part, doth covenant to and with the parties of the second part that they will warrant and defend the title of the above desired lands to the party of the second part and his heirs against all persons whomsoever, the day and year above written whereunto we have subscribed our hands and seals.

Bayless Lorton Seal.
her
Levina x Lorton Seal.
mark.

Lee County, to-wit:

I. M. C. Brooks a Justice of the Peace in and for the coun-

ty aforesaid and State of Virginia, do certify that Bayles Lorton and Levina Lorton, his wife, whose names are signed to the writing above, bearing date on the 3rd day of February, 1896, have acknowledged the same before me in my county and state aforesaid.

Given under my hand this the 3rd day of February, 1896.

M. C. Brooks, J.P.

Virginia,

Lee County, to-wit;

In the office of the Clerk of the County Court for said County the 1st day of March, 1897, this deed was presented and together with the certificate thereto annexed admitted to record.

Teste: S.V.F. Richmond, Clerk.

Joseph Blaylock
vs. { Depositions
Wm Librell et al

Filed - Feb 6th 1909

H. C. P. Ewing,
Clerk.

Notary fee \$3.75
Witnesses, 5.20
\$8.95

This Deed, made the 16 day of September in the year 1907 between B. L. Lorton and his wife Vinia Lorton of the State of Georgia of the one part, and Joe Blaylock and his wife Mattie Blaylock of the State of Virginia. of the other part,

Witnesseth: That in consideration of the sum of Fifteen \$15.00 dollars, paid to the said B. L. Lorton & Vinia Lorton, as follows: in hand The said first Parties have this day sold to the said Joe Blaylock & Mattie Blaylock and by these presents do grant unto the said Joe Blaylock and Mattie Blaylock, with general warranty, all that certain tract or parcel of land, situate on the waters of Indian Creek in Lee County, Virginia, and bounded and described as follows: Beginning at a spoted oak west of the road runing South with said road and on the side of said road to a south side line west round to the spoted oak the begining corner, supposed to contain 3 acres more or less the first parties will warrnt and defend the title to the said land herein conveyed. To have and to hold said land unto the second parties there heirs for ever with the appurteances to the second parties. And the said grantors covenant that they have a right to convey the said land to the grantees; that they have done no act to encumber the said land; that the grantees shall have quite/possession of the said land free from all encumbrances; and that they will execute such further assurances of the said land as may be requisite.

Witness the following signatures and seals.

Signed)

B. L. Lorton (L. S.)

her

Vinia x Lorton (L. S.)

mark

County of Floyd to-wit:

R. H. Foss Notary Public & a justice of the peace for the county aforesaid, in the state of Georgia, do certify that B. L. Lorton and Vinia Lorton whose names are signed to the writing above, bearing date on the day of 16th of September 1907 have acknowledge the same before me in my county aforesaid.

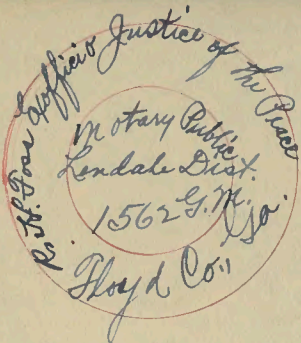
Given under my hand, this 22 day of October, 1907.

R. H. Foss N. P. & J. P.

Witness ^{to} ~~the~~ signature of B. L. Lorton and mark of Vinia Lorton.

1562 G. M.

Wm. Walter.



Virginia, Lee County, to-wit:

In the Clerk's Office of Lee County, on this the 5th day of November, 1907, this deed was presented, and together with the certificate annexed, admitted to record.

Teste: J. C. P. Ewing, Clerk.

(D. B. 46, page 328 &c.)

Joe Blaylock & wife
From { Deed
B.L. Lorton & wife

copy

Deed.

Cluk 45¢

Know all Men by these Presents, That we Joseph Blalock and
M. S. Ely -

are held and firmly bound unto the Commonwealth of Virginia, in the sum of (50.00)
Fifty Dollars,
to the payment whereof, well and truly to be made to the said Commonwealth of Virginia, we bind ourselves
and each of us, our and each of our heirs, executors and administrators, jointly and severally, firmly
by these presents. And we hereby waive the benefit of our exemptions as to this obligation, and
also of any claim or right to discharge any liability to the Commonwealth arising under this bond, or by
virtue of said office, post or trust, with coupons detached from the bonds of this State. Sealed with our
seals, and dated this 23rd day of November, one thousand nine
hundred Eight.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That whereas the above bound

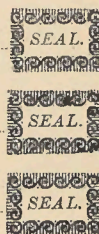
Joseph Blalock
on his bill in chancery against Wm Littrell and others

addressed to the Judge of the Circuit Court of the County of Lee,
has obtained from the said Judge an injunction to enjoin and restrain Wm Littrell and
W.E. Orr from executing a writ of possession in favor
of W.E. Orr against Joseph Blalock,

1st day of December, term 1908
until the future order of the said court; and whereas it is provided, by the order of the said Judge awarding
the said injunction, that the plaintiff shall not have the benefits thereof until he
or some one for him, shall enter into a bond, with good security, in the clerk's office of the
said court, payable to the Commonwealth of Virginia, in the penalty of Fifty
dollars, and conditioned to pay all such costs as may be awarded against the
said plaintiff, and all such damages as shall be incurred in case the said injunction be dissolved. Now,
therefore, if the said Joseph Blalock shall pay all such costs as
may be awarded against him, and all such damages as shall be incurred in case the said injunc-
tion be dissolved, then this obligation to be void, otherwise to remain in full force and virtue.

Executed in the presence of

Joseph Blalock
M. S. Ely



In the Clerk's Office of the _____ Court of the _____ of _____

This day personally appeared before me _____, Clerk
of the _____ Court of the _____ of _____

_____, and made oath
that _____ estate, after the payment of all _____ just debts, and those for which he _____ bound
as security for others and expect to have to pay _____ worth the sum of _____
dollars, over and above all exemptions allowed by law.

Given under my hand, this _____ day of _____, 19____

Clerk.

Joseph Blalock, et al,

to { . INJUNCTION
BOND.

\$50.00

Commonwealth.

Filed Nov. 23, 1908.

*H. C. T. Cwing
clerk*

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

Wm Woodward

Wm Little, Constable, W.E. Orr and

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on the *3rd* Monday in *December*, 190*8*, to answer a bill in chancery exhibited against *them*

by Joseph Black

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *23rd* day of *November*, 190*8*, and 1 *33rd* year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

, Clerk

Bond having been given by the plaintiffs, in the sum of Fifty dollars, with approved security, the defendants, Wm. Littrell, Constable, and W.E. Orr, are enjoined and restrained from executing the writ of possession in favor of W.E. Orr against Joseph Blalock, until the 1st day of December, 1908 of The Circuit Court of Lee County, Va.
Given under my hand, this 2nd day of November, 1908.
W.E. G. Loring, Clerk.

Joseph Blalock

VS

SUBPOENA
IN
CHANCERY

Wm. Littrell, Constable,
and others.

M. G. Ely,

p. q.

To 2nd December Rules
Lee Circuit Court
1908.

Executed on W.E. Orr
by delivering him a
true Copy of the within
This Nov 28th 1908.
Francis Miles Deputy
W. G. Tucker S. C. C.

Executed by
delivering a true
Copy of the within
notice to.

William Littrell
Constable) and
Wm. Woodward,

Dec 5/1908

C. E. Barrett D. C.
for W. G. Tucker S. C. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon Wm Little, Constable, W.E.
Or and Wm Woodward

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the 3rd Monday in December, 1908, to answer a bill in chancery exhibited against Them
by Joseph Blalock

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the 23rd
day of November, 1908, and 133 year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk

H. C. T. Ewing, Clerk

Bond having been given by the plaintiff in the sum of
\$100 dollars, with approved surety, the defendants, Wm Little-
all, Constable, and W.E. Orr, are enjoined and restrained from
executing the writ of possession in favor of W.E. Orr a-
gainst Joseph Blalock, until the 1st day of December term,
1908, of the Circuit Court of Lee County, Va.

Given under my hand this 23rd day of November, 1908.

H.C. Ewing, Clerk.

A copy,
Attest: H.C. Ewing,
Clerk

For
W.E. Orr

Court

Rules

p. q.

SUBPENA
IN
CHANCERY

11/30-08

+